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Cambridge  
Data Champions

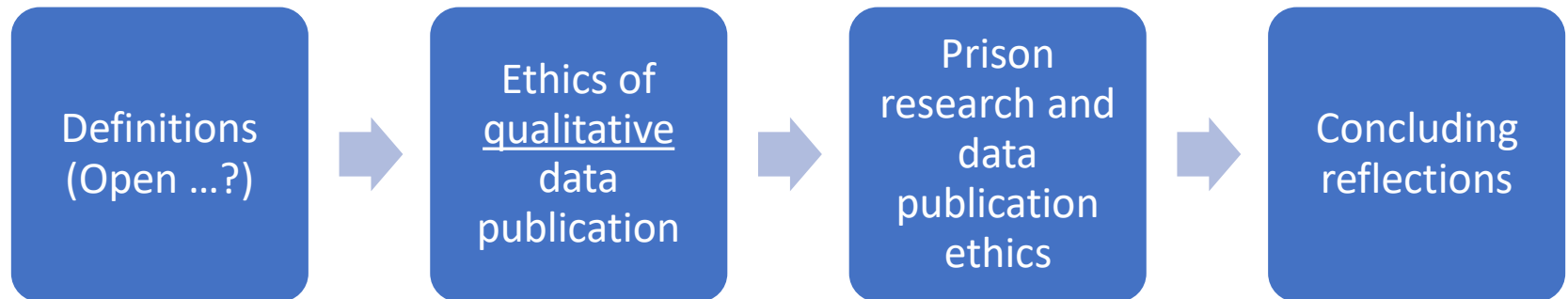
# Can confidential research be reproducible? Consent, ethics, prison interviews and the Open Research agenda

Ben Jarman

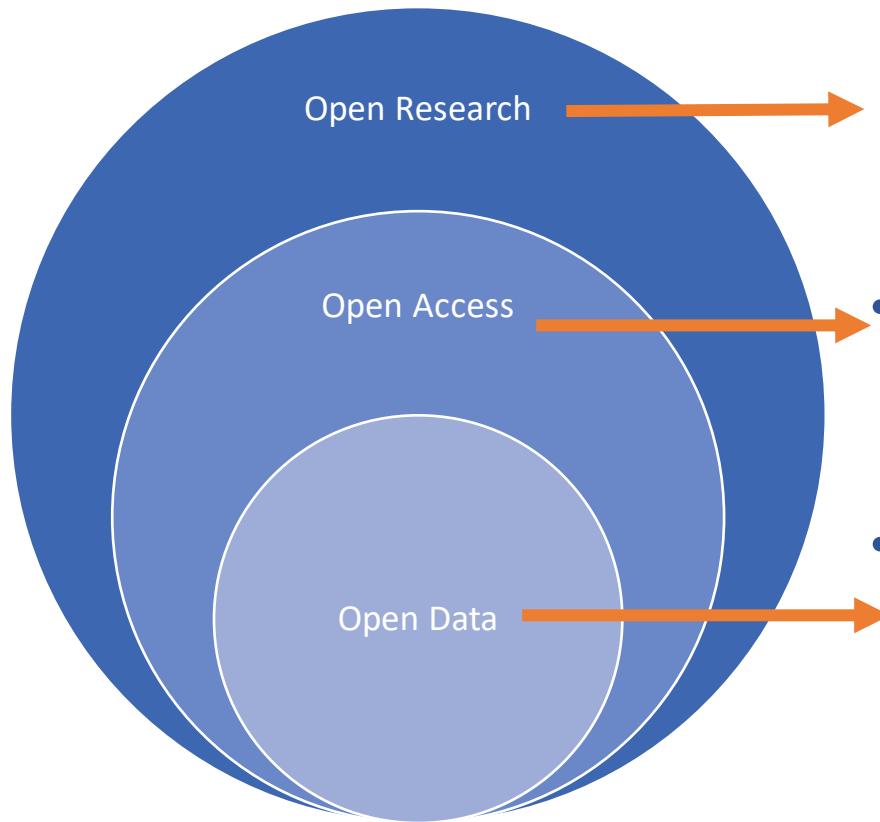
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# Overview

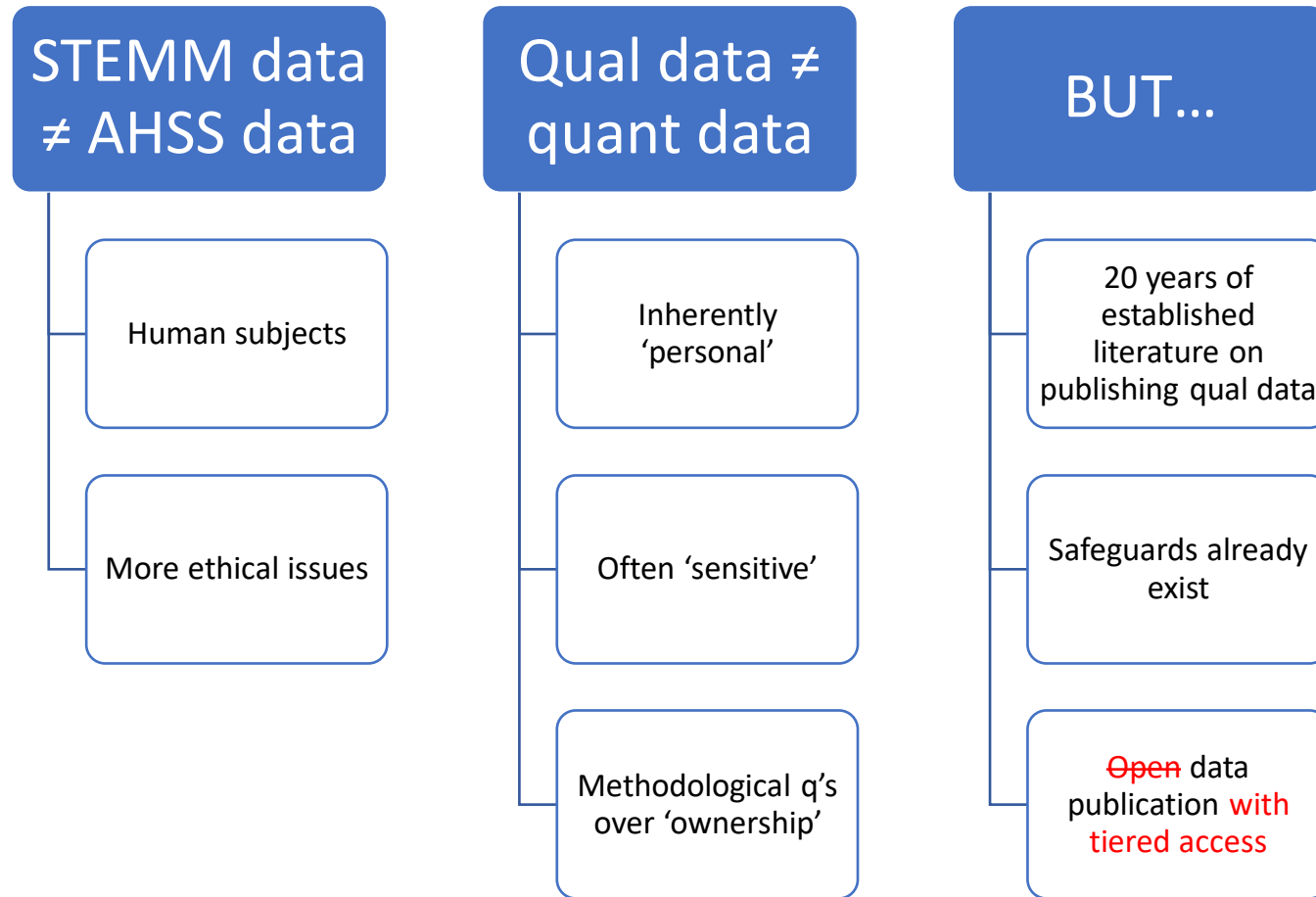


# Open Research ≠ Open Access ≠ Open Data



- Definition: “the idea that scientific knowledge of all kinds should be openly shared as early as it is practical in the discovery process” (Nielsen n.d.)
- Put simply: make research outputs freely available
  - No paywall
  - Repository/OA journals
- Therefore: Publish all outputs in repositories/data journals for secondary re-use
  - (datasets, software, analysis code - not just write-ups)

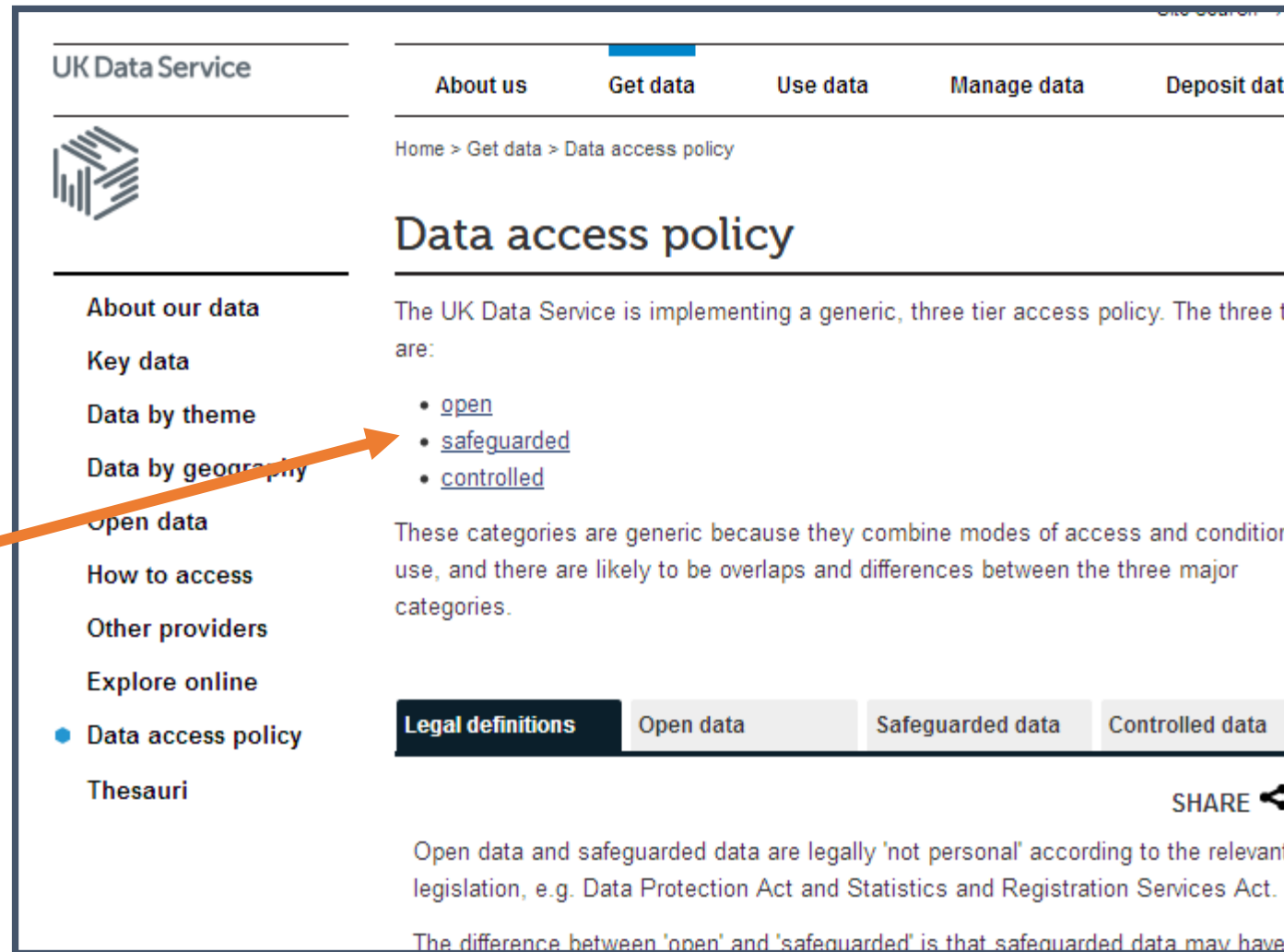
# Ethics of qualitative data publication?



# Data publication and existing ethical safeguards

Ethical  
safeguards  
already exist

~~Open~~ data  
publication with  
tiered access



UK Data Service

About us Get data Use data Manage data Deposit data

Home > Get data > Data access policy

## Data access policy

The UK Data Service is implementing a generic, three tier access policy. The three tiers are:

- [open](#)
- [safeguarded](#)
- [controlled](#)

These categories are generic because they combine modes of access and conditions of use, and there are likely to be overlaps and differences between the three major categories.

**Legal definitions** Open data Safeguarded data Controlled data

SHARE

Open data and safeguarded data are legally 'not personal' according to the relevant legislation, e.g. Data Protection Act and Statistics and Registration Services Act.

The difference between 'open' and 'safeguarded' is that safeguarded data may have

# Publication ethics – what about the ‘supply side’?

Ethical  
safeguards  
already exist

...but they cover  
the ethics of  
publication itself

...not ethics of  
data collection (if  
data publication a  
requirement)



Photo by [Steve Halama](#) on [Unsplash](#)

# Prisons as distinctive social/research settings

(e.g. Cohen and Taylor 1977; Liebling 1999; 2001; Crewe 2014; Ugelvik 2014; Beyens et al. 2015)

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Prisons are  
closed  
environments

Secretive, costly, morally contested (and dysfunctional?)

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Access difficult  $\therefore$  also privileged  
( $\therefore$  strong arguments for secondary reuse of data?)

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Data publication = in the public interest?  
(or feeding public prurience / malignant interest?)

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Prisons use  
state power to  
shame and  
stigmatise  
people

Data publication = reproduction of shame?  
 $\therefore$  extreme caution and controlled access?

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Data publication  $\neq$  reproduction of shame?  
(it depends on the topic)

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Who tells the story / positions the frame?  
(e.g. Martin)

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# Prisons as distinctive social/research settings

(e.g. Cohen and Taylor 1977; Liebling 1999; 2001; Crewe 2014; Ugelvik 2014; Beyens et al. 2015)

Data  
collection  
subject to  
different  
mechanisms  
of  
'governance'

Research(ers) = prescriptively regulated by gatekeepers

Different mechanisms once you're 'in'

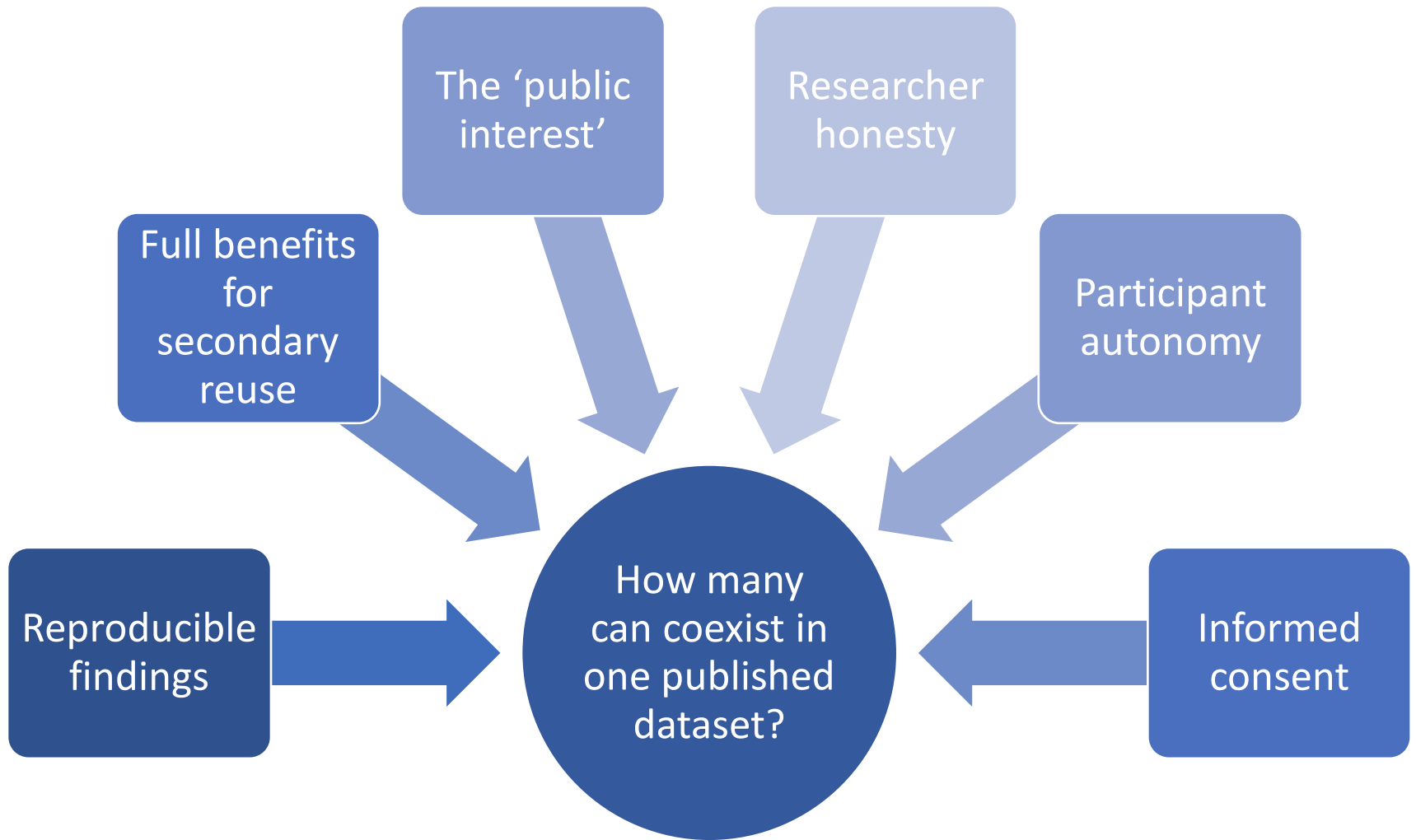
Strong subcultural norms  
(≠ relevant to all)

Low trust / high premium on trustworthiness

People's reasons for participating vary widely – and some have an agenda

∴ 'informed consent'?





# Concluding thoughts

## Open Research = here to stay

- Good 'selling point' for ECRs?

## Different ways to think about data publication

- 'Reproducibility' vs. good 'research citizenship'?
- Blanket restrictions on data access = researchers claiming the power to censor?

## How to do it right?

- Participant autonomy?
  - ∴ partial publication (by participant, by topic?)
- Researcher honesty re: Open Data
  - With participants about what can/can't be promised
  - With gatekeepers about funder requirements
  - With secondary users about the gaps and silences in published data